

MAINE STATE LEGISLATURE

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L.D. 1745

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DATE: 3-27-06

(Filing No. S-520)

EDUCATION AND CULTURAL AFFAIRS

Reported by: Majority

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STATE OF MAINE
SENATE
122ND LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 662, L.D. 1745, Bill, "An Act To Provide State Funding for the Fingerprinting of School Personnel"

Amend the bill in section 3 by striking out all of subsection 6 (page 1, lines 15 to 27 in L.D.) and inserting in its place the following:

'6. Fingerprinting. The applicant shall submit to having fingerprints taken. The Maine State Police, ~~upon payment by the applicant or any other entity required by law of the expenses specified in subsection 3-A,~~ shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the State Bureau of Identification so that the bureau can conduct state and national criminal history record checks. ~~Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the Maine State Police for purposes of this section must be paid over to the Treasurer of State for deposit in accordance with Title 20-A, section 6103, subsection 10.~~

Further amend the bill in section 4 in subsection 10 in the 3rd line (page 1, line 34 in L.D.) by striking out the following: "any fees collected" and inserting in its place the following: 'any fees collected money received'

COMMITTEE AMENDMENT

Page

COMMITTEE AMENDMENT "A" to S.P. 662, L.D. 1745

2 Further amend the bill in section 4 in subsection 10 in the
4th line (page 1, line 35 in L.D.) by striking out the following:
"4" and inserting in its place the following: '11'

6 Further amend the bill by inserting after section 4 the
following:

8 'Sec. 5. 20-A MRSA §6103, sub-§11 is enacted to read:

10 11. Annual General Fund transfer. On or before July 31,
12 2006, the State Controller shall transfer \$740,832 from General
14 Fund undedicated revenue to the Criminal History Record Check
16 Fund established in subsection 10. Beginning in fiscal year
18 2007-08 and every fiscal year thereafter, the State Controller
shall transfer \$369,929 from General Fund undedicated revenue to
the Criminal History Record Check Fund established in subsection
10 no later than July 31st of each year.'

20 Further amend the bill by striking out all of section 6
(page 2, lines 1 to 11 in L.D.) and inserting in its place the
following:

22 'Sec. 6. Reimbursement of payment for certification, authorization
24 or approval. The Commissioner of Education, upon receipt of proof
26 determined to be adequate by the commissioner, shall reimburse
28 from money received for that purpose amounts paid by those
persons, including individuals or organizations placed under
30 contract by a school, schools or school administrative units,
who, prior to the effective date of this Act, have paid for the
32 fingerprinting and conducting of the needed state and national
criminal history record checks by the Department of Public
34 Safety, Bureau of State Police, State Bureau of Identification,
as required by the Maine Revised Statutes, Title 20-A, section
6103.

36 Sec. 7. Appropriations and allocations. The following
appropriations and allocations are made.

38 EDUCATION, DEPARTMENT OF

40 Criminal History Record Check Fund 2014

42 Initiative: Provides an additional allocation in fiscal year

44 2006-07 for the one-time reimbursement of school personnel who

46 have already paid for fingerprinting and criminal history record

checks.

48 OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
50 All Other	\$0	\$370,903

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 662, L.D. 1745

2 OTHER SPECIAL REVENUE FUNDS TOTAL \$0 \$370,903'

4 Further amend the bill by relettering or renumbering any
6 nonconsecutive Part letter or section number to read
consecutively.

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SUMMARY

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12 This amendment, which is the majority report, makes
14 technical corrections to the bill and clarifies that the State is
responsible for payment of all costs associated with criminal
16 history record checks and fingerprinting of school personnel.
The amendment also clarifies that reimbursement to persons who
18 paid those costs prior to the effective date of this Act may be
made only from money received for that purpose. The amendment
20 also adds an appropriations and allocations section to the bill
and provides for future allocations to cover the costs of
fingerprinting.

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FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 1745

LR 2490(02)

An Act To Provide State Funding for the Fingerprinting of School Personnel

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Net Cost (Savings)				
General Fund	\$0	\$740,832	\$369,929	\$369,929
Appropriations/Allocations				
Other Special Revenue Funds	\$0	\$370,903	\$0	\$0
Revenue				
Other Special Revenue Funds	\$0	(\$369,929)	(\$369,929)	(\$369,929)
Transfers				
General Fund	\$0	(\$740,832)	(\$369,929)	(\$369,929)
Other Special Revenue Funds	\$0	\$740,831	\$369,929	\$369,929

Fiscal Detail and Notes

This bill will cost the General Fund \$740,832 in fiscal year 2006-07. This includes \$370,903 to reimburse school personnel who have already paid for fingerprinting and criminal history record checks since the fee became effective in September of 2005 and \$369,929 for new fingerprinting and criminal history record checks of school personnel. This bill includes language authorizing an annual transfer of funds from the unappropriated surplus of the General Fund to the Criminal History Record Check Fund within the Department of Education beginning in fiscal year 2006-07. This bill also includes an additional one-time Other Special Revenue Funds allocation of \$370,903 in fiscal year 2006-07 for the Criminal History Record Check Fund for the one-time reimbursement cost.